

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SHAWN D. JONES

Plaintiff,

v.

Case No. 18C0834
Dane County Case No. 18CV1974

DR. BURTON COX,

Defendant.

**NOTICE OF REMOVAL AND PETITION FOR REMOVAL OF CIVIL
ACTION TO THE UNITED STATES DISTRICT COURT
PURSUANT TO 28 U.S.C. §§1441, 1446**

NOTICE OF REMOVAL

TO: Honorable Frank D. Remington
Dane County Circuit Court
215 S. Hamilton St., Rm 4103
Madison, WI 53703

Shawn D. Jones # 258533
Prairie Du Chien Correctional
P.O. Box 9900
Prairie Du Chien, WI 53821

PLEASE TAKE NOTICE that on the below set forth date, Defendant, by his counsel, Attorney General Brad D. Schimel and Assistant Attorney General Shannon A. Conlin, filed the below set forth petition for removal of this civil action to the United States District Court for the Western District of Wisconsin pursuant to 28 U.S.C. §§ 1441, 1446.

**PETITION FOR REMOVAL OF CIVIL ACTION
TO THE UNITED STATES DISTRICT COURT**

The Defendant hereby petitions for removal of this civil action to the United States District Court for the Western District of Wisconsin pursuant to 28 U.S.C. §§ 1441, 1446. The grounds for removal are as follows:

1. A civil action has been commenced and is pending in the Circuit Court for Dane County, Wisconsin; *Shawn D. Jones v. Dr. Burton Cox*, Case No. 18cv1974. A copy of the summons and complaint in this action are marked as Exhibit A and B, affixed to this notice of removal and petition, and incorporated herein.

2. In this action, the plaintiff seeks damages on the basis of alleged constitutional violations.

3. The United States District Court for the Western District of Wisconsin has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343. Venue is proper as this action is currently pending in Dane County Circuit Court within the Western District of Wisconsin. 28 U.S.C. §§ 130(b) and 1441(a).

4. Pursuant to 28 U.S.C. § 1441(b), removal of the federal claim is mandatory upon compliance with 28 U.S.C. § 1446 as herein accomplished.

5. The Defendant was served in this matter with a summons and complaint no earlier than September 26, 2018, which is within 30 days of the date of this notice and petition.

6. This notice and petition will be served upon the plaintiff. It will also be filed with the Clerk of Circuit Court for Dane County today.

WHEREFORE, the Defendant respectfully represents that there has been due compliance with the provisions of law and give notice that this action stands removed from the Circuit Court for Dane County, State of Wisconsin, to the United States District Court for the Western District of Wisconsin.

Dated this 11th day of October, 2018.

Respectfully submitted,

BRAD D. SCHIMEL
Attorney General

s/Shannon A. Conlin
SHANNON A. CONLIN
Assistant Attorney General
State Bar #1089101

Attorneys for Defendant Burton Cox

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